IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)

MERCIER'S INCORPORATED	)	
	)	
Plaintiff	)	
	)	
v.	)	Case No. WMN-15-2706
	)	
GERALD L. REEVES, et al.	)	
	)	
Defendants	)	
______________________________	)	

REQUEST FOR STATUS CONFERENCE

NOW COMES MERCIER'S INCORPORATED, Plaintiff, by and through undersigned counsel, to file this Request for Status Conference, and in support thereof states as follows:

1. On September 14, 2015, Plaintiff filed its Verified Complaint in this matter seeking a temporary restraining order and injunctive relief in connection with alleged violations of restrictive covenants entered into during the time that Defendants were employed by Plaintiff. (*See* ECF No. 4).

2. Following a hearing on Plaintiff's motion for temporary restraining order, counsel for all parties jointly requested additional time to, *inter alia,* explore the possibility of settlement.

3. On November 5, 2015, counsel informed the Court by telephone that the parties had reached settlement of the above-captioned matter and were in the process of drafting and exchanging agreements to such effect. To that end, on even date this Court entered an Order of dismissal without prejudice. (*See* ECF No. 15).

4. Per the Court's Order, dismissal was "without prejudice to the right of a party to move for good cause within 30 days [i.e., on or before December 7, 2015] to reopen this action if

settlement is not consummated. If no party moves to reopen, the dismissal shall be with prejudice." (*Id.*).

5. Although following the date of the Court's Order the parties agreed to settlement terms and exchanged documents, Plaintiff did not receive executed settlement agreements from all Defendants in advance of the imposed deadline.

6. In light of the impending deadline, on December 4, 2015, the undersigned filed with this Court a Motion for Extension of Time to Reopen, seeking an additional fifteen (15) days' time after which, assuming that no party moved to reopen, the Court's dismissal without prejudice would convert to dismissal with prejudice. (*See* ECF No. 16). The Court granted Plaintiff's Motion on December 7, 2015. (*See* ECF No. 17).

7. Since the date of the Court's Order granting the extension, and continuing after subsequent requests for extension were filed (*see* ECF Nos. 18, 20) and granted (*see* ECF Nos. 19, 21), counsel for Plaintiff repeatedly reached out to counsel for Defendants to inquire as to the status of the settlement agreements. Counsel for Plaintiff received no response.

8. In light of Defendants' failure to provide any update, communication, or response, on January 20, 2016, Plaintiff filed a Fourth Motion for Extension of Time. (ECF No. 22). In this motion, Plaintiff requested as an alternative to yet another extension that, in the event it had not received signed settlement agreements by February 4, 2016, this Court hold a status conference. The Court granted said motion on January 21, 2016. (ECF No. 23).

9. Unfortunately, counsel for Plaintiff's numerous calls and e-mails have continued to go unanswered, and Plaintiff still has not received signed agreements. Given Defendants' lack of

communication over the previous month, Plaintiff now requests that this Court hold a status conference to inquire about the consummation of the parties' settlement.

WHEREFORE, for the foregoing reasons, Plaintiff Mercier's Incorporated, respectfully requests that this Honorable Court:

A. GRANT Plaintiff's Request for Status Conference;

B. SET a Status Conference in this matter to inquire about the consummation of the parties' settlement; and

C. GRANT such other and further relief as justice and this cause may require.

Respectfully submitted,

Dated: February 8, 2016

/s/

Russell B. Berger (Bar No. 28512)
Darren H. Weiss (Bar No. 29848)
Offit Kurman, P.A.
300 East Lombard Street
Suite 2010
Baltimore, Maryland 21202
Telephone: (410) 209-6400
Facsimile: (410) 209-6435
rberger@offitkurman.com
dweiss@offitkurman.com

Attorneys for Plaintiff Mercier's Incorporated

CERTIFICATE OF SERVICE

THIS WILL CERTIFY that on this 8th day of February, 2016, a copy of the foregoing was served via electronic mail to:

William B. Fecher
Statman, Harris, & Eyrich, LLC
3700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
wbfecher@statmanharris.com

Attorney for Defendants

/s/
Darren H. Weiss

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